

**REMARKS**

Reconsideration of the application is respectfully requested.

**I. Amendments to the Specification**

The specification has been amended to correct various informalities and provide the full and correct citation for Sisodia, et al. By this Amendment, no new matter has been added to the specification.

**II. Status of the Claims**

Upon entry of this amendment, claims 1-29 are pending. Claims 13-20 have been withdrawn as directed to non-elected subject matter.

Claims 1, 2, and 7 have been amended to clarify the claim language. Support for these amendments is found in the specification, for example, at page 19, lines 16-20, and page 23, line 25, to page 24, line 9.

Claim 3 has been amended to properly recite subject matter as a Markush group.

New claims 21-29 have been added. Support for the new claims is found throughout the specification, for example, at page 17, line 9 through page 18, line 20 (new claims 21, 22); page 19, lines 23-25 (new claim 23); page 19, lines 1-3 (new claims 24 and 25); page 21, lines 3-21 (new claims 26 and 27); page 25, lines 2-21 (new claim 28); and page 25, lines 22-27 (new claim 29).

By these Amendments, no new matter has been added to the claims.

**III. Objections to the Specification**

The Examiner has objected to the specification as containing various informalities. In partial response, the specification has been amended to correct the respective spellings of “Dickerson” (page 2, line 2) and “rifampicin” (page 6, line 25), and to provide a complete and corrected citation for Sisodia et al. (page 43, last line). In further response, Applicant notes that the

sentence found in the specification at page 8, lines 20-24 contains the verbs “demonstrated” and “attenuated.” Thus, the basis of the Examiner’s objection to this sentence is believed to be mistaken.

In view of the foregoing discussion, all objections to the specification should be withdrawn.

#### **IV. Rejections under 35 U.S.C. § 112, second paragraph**

Claims 1-12 have been rejected for alleged indefiniteness. The Examiner contends that claims 1, 2, and 7 (and dependent claims 3-6 and 8-12) are unclear because they recite peptides or epitopes that are “derived” from a source. The Examiner’s states that the meaning of “derive” is unclear because the term is not defined in the specification.

In response, without conceding the validity of the rejection, claims 1, 2, and 7 have been amended to remove the term “derived.” Claims 1 and 2 have been amended to recite that internal peptide cleavage products are formed by proteolytic cleavage of a precursor or mature protein. Claim 7 has been amended to recite that the T cell epitope is from one of the listed proteins. New claims 21-29 are similarly worded. Applicants submit that these amendments do not affect the scope of the claims.

In view of these amendments, claims 1-12 comply with Section 112, second paragraph. Reconsideration of claims 1-12 withdrawal of all rejections thereof for alleged indefiniteness is requested, accordingly.

#### **V. New Claims**

New claims 21-29 have been added. The Examiner has cited no prior art against the previously pending claims. The chimeric peptides recited in new claims 21-29 are believed to be likewise free of prior art. Claims 21-29 are further believed to comply with all requirements for patentability under 35 U.S.C §§ 101 and 112. Allowance of claims 21-29 is therefore respectfully requested.

**VI. Conclusion**

In view of the above remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining that the Examiner believes can be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: December 5, 2006

Respectfully submitted,

By   
Mitchell Bernstein

Registration No.: 46,550  
DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7700  
(212) 527-7701 (Fax)  
Attorneys/Agents For Applicant